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LEE, HONG, DEGERMAN, KANG & SCHMADEKA, P.C. 801 SOUTH FIQUEROA STREET 14TH FLOOR LOS ANGELES, CA 90017			GILLIS, BRIAN J	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/991,409	PARK, MIN YOUNG	
	<b>Examiner</b>	<b>Art Unit</b>	
	Brian J. Gillis	2141	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 4-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 8-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 8-10 appear intended to be an initialization file for a cable modem, which is not embodied on a tangible medium and includes non-functional descriptive material. The claims are ineligible for patent protection because they do not fall within any of the four statutory classes of 35 U.S.C. 101 and do not, in and of themselves enable any underlying functionality of the material carried thereby to be realized.

### ***Claim Rejections - 35 USC § 103***

Claim 1, 4, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roeck et al (US Patent #6,574,796) in view of DiNatale et al (WIPO Pub # WO 02/48897 A1) in view of Fawcett (US Patent #5,845,077).

Claim 1 discloses an apparatus for downloading an initialization file for a cable modem comprising: a tuner unit adapted to receive, tune and output a plurality of downstream signals received from a cable modem termination system and to receive, tune and output a plurality of upstream signals to the cable modem termination system; a downstream unit adapted to demodulate the downstream signals from the tuner unit and separate general data from a media access control (MAC) management message; a message processor adapted to detect a configuration file and manufacturing

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automation protocol (MAP) information according to the MAC management message input from the downstream unit; a non-volatile memory adapted to store the configuration file detected by the message processor; a CPU adapted to control the message processor; and an upstream unit adapted to generate and modulate the upstream signal according to the MAP information detected by the message processor, wherein the message processor stores the detected configuration file in the non-volatile memory only when the detected configuration file is a more recent version than a configuration field previously stored in the non-volatile memory. Roeck et al teaches of a cable modem with a tuner (column 11, lines 58-61), a receiver chip that demodulates the data (column 12, lines 3-5), a receiver chip in conjunction with the central processing unit can process data from downstream (column 12, lines 15-21), a CPU with its own memory for storing data (column 12, lines 16-17), the CPU controls the receiver chip (column 12, lines 9-12), and a transmitter chip which modulates and prepares the signal for transmission upstream (column 12, lines 30-34, 38-40). It fails to teach of a process, which stores the file in memory only when the detected information is more recent than the one already stored. DiNatale et al teaches of a process where a file is downloaded if it is the latest version (page 7, line 29 – page 8, line 1).

Roeck et al and DiNatale et al are analogous art because they are both related to cable modem initialization.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the process of downloading the latest version in DiNatale et al with the device taught by Roeck et al because this will ensure that all the capabilities

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included within the cable modem are utilized during operation (DiNatale et al, page 10, lines 24-27).

Roeck et al in view of DiNatale et al teaches of the limitations as recited above. It fails to teach of downloading the file only when the file is a more recent version. Fawcett teaches of conducting an inventory of the current software before proceeding to downloading the most recent version (column 6, lines 12-32).

Roeck et al in view of DiNatale et al and Fawcett are analogous art because they are both related to remote setup over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the inventory prior to updating in Fawcett with the device taught by Roeck et al in view of DiNatale et al because a user prevents encountering defects from using out of date software (Fawcett, column 3, lines 25-42).

Claim 4 discloses the apparatus of claim 1, wherein the CPU compares a name of the configuration file detected by the message processor to a name of the configuration file previously stored in the non-volatile memory and selects the configuration file of a later version. DiNatale et al further teaches of a process where information is read and compared to information downloaded during a previous power up and now stored in the modem. If the information does is not the same then the latest version is saved in the modem (page 7, lines 29-32).

Claim 7 discloses the apparatus of claim 1, wherein the non-volatile memory stores the configuration file for initializing the cable modem. DiNatale et al further

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teaches of storing the information in the cable modem memory in order to compare it with future versions (page 9, lines 9-12).

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roeck et al (US Patent #6,574,796) in view of DiNatale et al (WIPO Pub # WO 02/48897 A1) in view of Fawcett (US Patent #5,845,077) as applied to claim 1 above, and further in view of Welles, II et al (US Patent #6,532,495).

Claim 2 discloses the apparatus of claim 1, wherein the general data of the downstream unit is transmitted to a display unit that can be viewed by a user through an MPEG 2 transport stream interface, and the MAC management message is transmitted to the message processor. Roeck et al in view of DiNatale et al, in view of Fawcett teaches of the limitations in claim 1 as recited above. It fails to teach of the data in the downstream unit being transmitted to a display unit and to a message processor. Welles, II et al teaches of a data receiver connected to an input connection and also to a television set so that a data stream input connection is conducted to both the television set and to the data receiver (column 7, lines 36-40).

Roeck et al in view of DiNatale et al in view of Fawcett and Welles, II et al are analogous art because they are both related to data transmission through a cable modem.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the connection in Welles, II et al and adapt it to the device in Roeck et al in view of DiNatale et al in view of Fawcett because the data connection line

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carries two types and data can be conducted to both a display unit and to the message processor (Welles, column 7, lines 38-40).

Claims 8, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiNatale et al (WIPO Pub # WO 02/48897 A1) in view of Rainard (US Patent #5,473,610).

Claim 8 discloses an initialization file for a cable modem, the initialization file comprising: a file name part indicating a configuration file name; a file version part indicating configuration file version information; and a delimiter part between the configuration file name part and the configuration file version part, the delimiter part having a finite size such that the file name part and file version part border the delimiter part. DiNatale et al teaches of a file format, which contains the name of the file (page 7, lines 8-11, page 8, lines 26-31, page 9, lines 1-2), a file format which also contains the file version (page 7, lines 8-11, page 8, lines 26-31, page 9, lines 1-2). It fails to teach of a delimiter part between the configuration file name part and the configuration file version part. Rainard teaches of using a delimiter, which is widely known to be defined as a character or sequence of characters marking the beginning or end of a unit of data, of fixed length inserted between two fields to make it possible to know the location of data (column 2, lines 10-19).

DiNatale et al and Rainard are analogous art because they are both related to receiving setup information over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the delimiter in Rainard with the file in DiNatale et al because the location of specific data is known (Rainard, column 2, lines 10-16).

Claim 10 discloses the initialization file of claim 8, wherein the file version part indicates the file version information as one of a time value defined in an RFC868, a time protocol, and a string form of number information. DiNatale et al further teaches that the value field can range from 1 to 254 bytes and contains the specific value for the configuration parameter (page 6, lines 26-32, page 7, lines 1-3).

Claims 11, 13, 14, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiNatale et al (WIPO Pub # WO 02/48897 A1), in view of Fawcett (US Patent #5,845,077).

Claim 11 discloses a method for downloading an initialization file for a cable modem, the method comprising: registering information related to a detected configuration file in a DHCP server; receiving the information related to the detected configuration file registered in the DHCP server; comparing the received first configuration file information with information related to a previously stored configuration file; downloading the detected configuration file only if one of a name of the detected configuration file is different from a name of the previously stored configuration file and a version of the detected configuration file is more recent than a version of the previously stored configuration file; updating a memory with the downloaded configuration file; and registering a cable modem by using the downloaded configuration file. DiNatale et al teaches of the DHCP server can determine the file



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name information from the cable modem (page 10, lines 7-10), the DHCP server sends the configuration file information to the cable modem (page 6, lines 8-10), the file name is read and compared to the file name downloaded in the previous power-up process (page 7, lines 29-31), if the version numbers do not match then the latest version of the file is downloaded (page 7, lines 31-32, page 8, line 1 and page 10, lines 9-13), the cable modem stores the file name so at the next power-up the stored value can be compared, it also downloads the latest version (page 9, lines 16-25), and after the download the file is stored and the modem begins its operational state (page 9, line 32, page 10, line 1-2). It fails to teach of downloading the detected configuration file only if the name of the detected configuration file is different from the name of the previously stored file or if the detected configuration file is of a more recent version than the previously stored configuration file. Fawcett teaches of conducting an inventory of the current software before proceeding to downloading the most recent version (column 6, lines 12-32).

DiNatale et al and Fawcett are analogous art because they are related to remote installation over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the process of downloading the latest version in DiNatale et al and the inventory prior to updating in Fawcett with the system in DiNatale et al a user prevents encountering defects of using out of date software (Fawcett, column 3, lines 25-42).

Claim 13 discloses the method of claim 11, wherein comparing the received configuration file with the previously stored configuration file information comprises: comparing the file name of the detected configuration file to the name of the stored configuration file; downloading the configuration file if the name of the detected configuration file and the name of the stored configuration file are different; and comparing the version of the detected configuration file to the version of the stored configuration file if the name of the detected configuration file is identical to the name of the stored configuration file; and downloading the detected configuration file if the version of the detected configuration file is more recent than the version of the stored configuration file version. DiNatale et al further teaches of the names are compared (page 7, lines 29-31), the file contains major revision numbers, minor revision numbers, and patch revision numbers which are used to compare the stored file with the file name downloaded (page 8, lines 26-31, page 9, lines 1-13), and the values in the files are compared and if necessary the latest version is downloaded and (page 9, lines 16-25).

Claim 14 discloses the method of claim 13, further comprising: performing a registration process of the cable modem by using the stored configuration file if the version of the detected configuration file is one of older than and the same as the version of the stored configuration file version. DiNatale et al further teaches that if there is a match between the two files then the cable modem is already using the latest version of the software (page 10, lines 12-13).

Claim 16 discloses the method of claim 11, wherein the stored configuration file is downloaded when initializing the cable modem. DiNatale et al further teaches the

cable modem stores the file name so at the next power-up this stored value can be used in the comparison process (page 9, lines 16-20).

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over DiNatale et al (WIPO Pub # WO 02/48897 A1), in view of Fawcett (US Patent #5,845,077) as applied to claim 11 above, and further in view of Rainard (US Patent #5,473,610).

Claim 15 discloses the method of claim 11, wherein the format of the information related to the detected configuration file and the stored configuration file comprises: a file name part indicating a configuration file name; a file version part indicating a configuration file version; and a delimiter part between the file name part and the file version part. DiNatale et al in view of Fawcett teaches of a file format, which contains the name of the file (DiNatale et al, page 7, lines 8-11, page 8, lines 26-31, page 9, lines 1-2), and a file format, which also contains the file version (DiNatale et al, page 7, lines 8-11, page 8, lines 26-31, page 9, lines 1-2). It fails to teach of a delimiter part between the configuration file name part and the configuration file version part. Rainard teaches of using a delimiter, which is widely known to be defined as a character or sequence of characters marking the beginning or end of a unit of data, of fixed length inserted between two fields to make it possible to know the location of data (column 2, lines 10-19).

DiNatale et al in view of Fawcett and Rainard are analogous art because they are both related to receiving setup information over a network.

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At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the delimiter in Rainard with the file in DiNatale et al in view of Fawcett because the location of specific data is known (Rainard, column 2, lines 10-16).

Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Roeck et al (US Patent #6,574,796) in view of DiNatale et al (WIPO Pub # WO 02/48897 A1) in view of Fawcett (US Patent #5,845,077) as applied to claim 1 above, and further in view of Gatherer et al (US Patent #6,549,584) in view of Rainard (US Patent #5,473,610).

Claim 5 discloses the apparatus of claim 1, wherein the message processor parses the format of information related to the detected configuration file into a configuration file name part and a configuration file version part with a delimiter part there between. Roeck et al teaches of the limitations in claim 1 as recited above (column 11, lines 58-61, column 12, lines 3-5, 9-12, 15-21, 30-34, 38-40). It fails to teach of parsing information into parts with a delimiter in between. Gatherer et al teaches of a parser function which processes the incoming bit stream into groups of bits of specific lengths which separates the data providing a delimiter in between (column 8, lines 66-67, column 9, lines 1-8).

Roeck et al in view of DiNatale et al in view of Fawcett and Gatherer et al are analogous art because they are both related to receiving setup information over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the parser function taught by Gatherer et al with the device taught

by Roeck et al in view of DiNatale et al in view of Fawcett because the function can reduce errors inherently speeding up the process (Gatherer et al, column 10, lines 52-56).

Roeck et al in view of DiNatale et al in view of Fawcett in view of Gatherer et al teaches of the limitations as recited above. It fails to teach of a delimiter part between the configuration file name part and the configuration file version part. Rainard teaches of using a delimiter, which is widely known to be defined as a character or sequence of characters marking the beginning or end of a unit of data, of fixed length inserted between two fields to make it possible to know the location of data (column 2, lines 10-19).

Roeck et al in view of DiNatale et al in view of Fawcett in view of Gatherer et al and Rainard are analogous art because they are both related to receiving setup information over a network.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the delimiter in Rainard with the device taught by Roeck et al in view of DiNatale et al in view of Fawcett in view of Gatherer et al because the location of specific data is known (Rainard, column 2, lines 10-16).

Claim 6 discloses the apparatus of claim 5, wherein the format of the information related to the detected configuration file comprises a file name part indicating a configuration file name, a file version part indicating a configuration file version, and a delimiter part differentiating the file name part and the file version part. DiNatale et al further teaches of a file format which has the file name part with the file version part

included (page 8, lines 8-13). Rainard further teaches of using a delimiter, which is widely known to be defined as a character or sequence of characters marking the beginning or end of a unit of data, of fixed length inserted between two fields to make it possible to know the location of data (column 2, lines 10-19).

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over DiNatale et al (WIPO Pub # WO 02/48897 A1) in view of Rainard (US Patent #5,473,610) as applied to claim 8 above, and further in view of Beser (US Patent #6,775,276).

Claim 9 discloses the initialization file of claim 8, wherein the configuration file version information is encoded together with the configuration file name in a boot file name region of a dynamic host configuration protocol (DHCP) message format. DiNatale et al in view of Rainard teaches of the limitations in claim 8 as recited above (page 7, lines 8-11, page 8, lines 26-31, page 9, line 1-2). It fails to teach of encoding the information in a boot file name region of a DHCP message format. Beser teaches of an offer message being sent to a cable modem with configuration information in the boot file name region of a DHCP message (column 12, lines 23-30).

DiNatale et al in view of Rainard and Beser are analogous art because they are both related to cable modem configurations.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the message in Beser and adapt it to use with the file in DiNatale et al in view of Rainard because the boot filename section of a DHCP message is used for sending the path and filename of a file for configuration purposes (Beser, column 13, line 24-28, table 4).

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over DiNatale et al (WIPO Pub # WO 02/48897 A1), in view of Fawcett (US Patent #5,845,077) as applied to claim 11 above, and further in view of Gatherer et al (US Patent #6,549,584).

Claim 12 discloses the method of claim 11, wherein receiving the information related to the detected configuration file comprises: parsing the configuration file information into a file name part and a file version part. DiNatale et al in view of Fawcett teaches all of the limitations of claim 11 as recited above. It fails to teach of parsing the information as received into a name part and version part. Gatherer et al teaches of a parser function which processes the incoming bit stream into groups of bits of specific lengths (column 8, line 66 - column 9, line 8).

DiNatale et al in view of Fawcett and Gatherer et al are analogous art because they are both related to cable modem operating.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the parser function method taught by Gatherer et al with the method taught by DiNatale et al in view of Fawcett because the function can reduce errors inherently speeding up the process (Gatherer, column 10, lines 52-56).

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiNatale et al (WIPO Pub # WO 02/48897 A1) in view of Gatherer et al (US Patent #6,549,584) in view of Rainard (US Patent #5,473,610) in view of Fawcett (US Patent #5,845,077).

Claim 17 discloses a method for downloading an initialization file for a cable modem, the method comprising: constructing first configuration file information with a

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file name part, a file version part and a delimiter part, the delimiter part having a finite size such that the file name part and file version part border the delimiter part, and registering the configuration file information in a DHCP server, the first configuration file information corresponding to a detected configuration file; receiving the first configuration file information registered in the DHCP server; parsing the first configuration file information into a file name part and a file version part; reading second configuration file information corresponding to a previously downloaded configuration file; comparing the file name part of the configuration file information to a file name part of the second configuration file information; downloading the detected configuration file if the file name part of the first configuration file information and the file name part of the second configuration file information are different, and comparing the file version part of the first configuration file information to a file version part of the second configuration file information only if the file name part of the first configuration file name is identical to the file name part of the second configuration file information; and downloading the detected configuration file if the file version part of the first configuration file information is more recent than the file version part of the second configuration file information and reading the previously downloaded configuration file if the file version part of the first configuration file information is one of older than and the same as the file version part of the second configuration file information; and performing a registration process using one of the detected configuration file and the previously downloaded configuration file name information according to the comparison result. DiNatale teaches of constructing the configuration file, receiving the first configuration file, reading the second



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configuration file, comparing the files, downloading the first configuration file if the names are different and if the second file is more recent, and registering the device (page 5, lines 29-31, page 6, lines 26-32, page 7, lines 30-32, page 10, lines 9-13, 21-25). It fails to teach of parsing the information, and constructing the file using a delimiter and downloading a file only if the file to be downloaded is more recent or if the file names are identical. Gatherer et al teaches of a parser function which processes the incoming bit stream into groups of bits of specific lengths which separates the data providing a delimiter in between (column 8, lines 66-67, column 9, lines 1-8).

DiNatale et al and Gatherer et al are analogous art because they are both related to data processing in a cable modem.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the parser function method taught by Gatherer et al, with the method taught by DiNatale et al because the function can reduce errors inherently speeding up the process (Gatherer, column 10, lines 52-56).

DiNatale et al and Gatherer et al teaches of the limitations as recited above. It fails to teach of constructing the file using a delimiter and downloading a file only if the file to be downloaded is more recent or if the file names are identical. Rainard teaches of using a delimiter, which is widely known to be defined as a character or sequence of characters marking the beginning or end of a unit of data, of fixed length inserted between two fields to make it possible to know the location of data (column 2, lines 10-19).

DiNatale et al in view of Gatherer et al and Rainard are analogous art because they are both related to data handling in a cable modem.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the delimiter in Rainard with the method taught by DiNatale et al in view of Gatherer et al because the location of specific data is known (Rainard, column 2, lines 10-16).

DiNatale et al in view of Gatherer et al in view of Rainard teaches of the limitations as recited above. It fails to teach of downloading a file only if the file to be downloaded is more recent or if the file names are identical. Fawcett teaches of conducting an inventory of the current software before proceeding to downloading the most recent version (column 6, lines 12-32).

DiNatale et al in view of Gatherer et al in view of Rainard and Fawcett are analogous art because they are both related to setting up a cable modem.

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the inventory prior to updating in Fawcett with the method taught by DiNatale et al in view of Gatherer et al in view of Rainard because a user prevents encountering defects of using out of date software (Fawcett, column 3, lines 25-42).

Claim 18 discloses the method of claim 17, wherein if the detected configuration file is an initialization file that is first input to the cable modem, the first configuration file is stored in the memory and the registration process is performed using the first configuration file information. Gatherer et al further teaches of a parser function which processes the incoming bit stream into groups of bits of specific lengths which

separates the data providing a delimiter in between (column 8, lines 66-67, column 9, lines 1-8).

***Response to Arguments***

Applicant's arguments with respect to claim 1-18 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian J. Gillis whose telephone number is 571-272-7952. The examiner can normally be reached on M-F 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BJG

Brian J Gillis  
Examiner  
Art Unit 2141



RUPAL DHARIA  
SUPERVISORY PATENT EXAMINER